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12 Attorneys for Defendant
13 TWILIO INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 JONATHON PERRY-HUDSON, individually
18 and on behalf of all others similarly situated,

19 Plaintiff,

20 v.

21 TWILIO INC.,

22 Defendant.

Case No. 3:24-cv-03741-VC

**DECLARATION OF IAN KANIG IN
SUPPORT OF DEFENDANT TWILIO
INC.'S MOTION TO COMPEL
INDIVIDUAL ARBITRATION**

Pursuant to Fed. R. Civ. P. 12(b)(6).

Date: November 21, 2024
Time: 10:00 a.m.
Courtroom: 4 —17th Floor
Judge: Hon. Vince Chhabria

Date Filed: June 21, 2024
Trial Date: Not Yet Set

DECLARATION OF IAN KANIG

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2 1. I am an attorney at Keker, Van Nest & Peters, LLP, counsel of record for
3 Defendant Twilio, Inc. in the above-captioned action. I am licensed to practice in the State of
4 California and before this Court. I have personal knowledge of the facts stated herein, and I could
5 and would competently testify thereto if called as a witness. In this declaration, I refer to Thirty
6 Madison, Inc. as “Keeps,” which I understand is one brand name under which it does business.

Keeps Privacy Policy

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8 2. Attached hereto as **Exhibit A** is a true and correct copy of the Keeps Privacy
9 Policy that is publicly available at
10 web.archive.org/web/20240304044722/www.keeps.com/legal/privacy and was previously
11 publicly available at www.keeps.com/legal/privacy from September 29, 2023, to May 13, 2024
12 (downloaded from the Wayback Machine on August 13, 2024).

13 3. Attached hereto as **Exhibit B** is a true and correct copy of the Keeps Privacy
14 Policy that was publicly available at www.keeps.com/legal/privacy from May 13, 2024, to July
15 16, 2024 (downloaded from the above-referenced link on June 24, 2024).

16 4. Attached as **Exhibit C** is a true and correct copy of the Keeps Privacy Policy that
17 is and has been publicly available at patient.thirtymadison.com/dashboard/legals/privacy-keeps
18 since July 17, 2024 (downloaded from the above-referenced link on August 13, 2024).

Keeps Terms

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20 5. Attached hereto as **Exhibit D** is a true and correct copy of the Keeps Terms that
21 were publicly available at www.keeps.com/legal/terms from August 1, 2022, to August 14, 2024
22 (downloaded from the above-referenced link on June 24, 2024).


23 6. Attached as **Exhibit E** is a true and correct copy of the Keeps Terms that are and
24 have been publicly available at [patient.thirtymadison.com/dashboard/legals/terms-and-conditions-](https://patient.thirtymadison.com/dashboard/legals/terms-and-conditions-keeps)
25 [keeps](https://patient.thirtymadison.com/dashboard/legals/terms-and-conditions-keeps) since August 15, 2024 (downloaded from the above-referenced link on August 16, 2024).

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct. Executed on August 19, 2024, at San Francisco, California.

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5 IAN KANIG
6 Counsel for Defendant TWILIO INC.
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